

VZCZCXYZ0005  
RR RUEHWEB

DE RUEHKV #0953/01 1411105  
ZNR UUUUU ZZH  
R 201105Z MAY 08  
FM AMEMBASSY KYIV  
TO RUEHC/SECSTATE WASHDC 5621  
RUEHC/DEPT OF LABOR WASHDC  
INFO RUCPDOG/USDOC WASHDC  
RUEHGV/USMISSION GENEVA 0121

UNCLAS KYIV 000953

SIPDIS

DEPT OF LABOR FOR DOL/ILAB - RACHEL RIGBY  
STATE FOR DRL/ILCSR (MMITTELHAUSER), G/TIP (SSTEINER), AND  
EUR/UMB (RBMARCUS)

E.O. 12958: N/A

TAGS: [ELAB](#) [EIND](#) [ETRD](#) [PHUM](#) [UP](#)

SUBJECT: UKRAINE: INCIDENCE OF FORCED/CHILD LABOR IN THE  
PRODUCTION OF GOODS NOT SIGNIFICANT

REFS: A) STATE 41381  
B) 2007 KYIV 2925

¶1. Summary: Cases of adult forced labor are extremely rare in Ukraine, and child labor, while still in existence, is not prevalent. The GOU has adopted standards on child labor in line with international norms and has made some progress in recent years in tackling the problem. Most child labor is involved in the service sector, particularly petty commerce, and illegal activities, like prostitution and pornography. Child labor is also used at some unsanctioned coal mines, but the effect on Ukraine's total production of coal is insignificant. Some children are likewise found working on small, family farms, but in most cases such work does not constitute exploitative child labor as defined by ILO Convention 182, and regardless has no significant impact on the national production of any particular agricultural commodities. End Summary.

¶2. Post recently provided detailed information on child labor in Ukraine as part of last year's Trade and Development Act (TDA) reporting requirement (ref B). As requested by ref A, below Post provides updated information on child labor and forced labor issues.

¶3. Post will also send this information via email to USDOL POC Rachel Rigby. Post's POC is Christian Yarnell, Economic Officer - Email: [yarnellc@state.gov](mailto:yarnellc@state.gov); Phone: 011-380-44-490-4276; Fax: 011-380-44-490-4277).

Overview: Forced/Child Labor Not Endemic in Ukraine  
-----

¶4. Conditions of slavery or practices similar to slavery are essentially nonexistent in Ukraine. Cases of adult forced labor within the country are also extremely rare. (Note: Ukraine is, however, a source country and transit route for international trafficking-in-persons. End note.) In addition, as established by the Constitution of Ukraine, child labor is also formally prohibited.

¶5. Yet despite the formal prohibition, child labor was an integral part of the Soviet educational system, considered valuable experience in preparing children for the workplace, and has continued in independent Ukraine. The collapse of the Ukrainian economy in the early 1990s fostered the emergence of a large shadow economy in which child labor became widely used. Ukraine's Law "On Childhood Protection," however, provides the primary legal framework for combating child labor in line with International Labor Organization (ILO) Convention 182, ratified by Ukraine in 2000. The government investigates complaints and attempts to address violations, and has made

significant progress in combating child labor in recent years.

¶16. Through 563 spot inspections held during one month of 2007, the State Labor Inspectorate, which enforces child labor laws in the formal sector, found 1500 cases in which adolescents under 18 years old were working. Inspectors passed 62 cases to law enforcement bodies to pursue criminal prosecution. Authorities filed administrative charges with the courts in 257 cases. Information on how these cases concluded is not available. Fifteen employers faced administrative liability for refusal to cooperate with labor inspectors.

#### Sectors Involving Child Labor

-----

¶17. Petty commerce appears to be the most common occupation in which children are engaged, with approximately one third of working children selling products on the streets or in unofficial markets. Indeed, child labor in Ukraine exists most often in the informal sector, and frequently where the activities children are engaged in are illegal. Common examples include sex services and pornography, although there is no reliable data as to the extent of child abuse in these areas.

#### Coal

----

¶18. One sector where child labor could result in the production of legal goods is unsanctioned coal mining. Experts suspect that unsanctioned coal mines continue to

employ children, and, indeed, in 2007 Ukrainian police announced an investigation in the eastern oblast of Donetsk of a boarding school for disabled children that allowed a group of underage orphans to sift and load coal for a nearby company. Recent surveys conducted by the ILO indicate that enhanced GOU enforcement efforts have at least eliminated child labor underground at unsanctioned coal mines, although children continued to work on the surface at such mines.

¶19. Because child labor is limited to unsanctioned coal mines, and because none of the 165 legitimate mines operating in Ukraine are believed to use child labor, the incidence of child labor in the production of coal in Ukraine is not significant. Coal extracted from unsanctioned coal mines likely accounts for only a very small portion of the national total.

#### Agriculture

-----

¶10. Child labor continues to be used on some small, family farms throughout Ukraine as well. Children working in the agricultural sector are typically engaged in weeding, working as shepherds, fruit picking, caring for domestic livestock, working with fertilizers, and repairing agricultural equipment. Ukrainian law, however, permits underage children from 14 years old to do some forms of agricultural work on a short-term basis, with the consent of one parent, meaning that such work would not be considered exploitative child labor as defined by ILO Convention 182. In addition, the incidence of any child labor, legal or otherwise, is likely insignificant in terms of Ukraine's total agricultural production. It is also unlikely that child labor is used to produce any particular agricultural commodities, since working children tend to be found on family farms, not specialized agricultural enterprises.